

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

June 8, 2007

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Hawaii

Consent to Assign General Lease No. S-3155, Jesse C. Wolf, Assignor, to Pacific Island Investments LLC, Assignee, Waiakea, South Hilo, Hawaii, Tax Map Key: 3<sup>rd</sup>/ 2-1-07:21.

APPLICANT:

Jesse C. Wolf, as Assignor, to Pacific Island Investments LLC, a Hawaii Limited Liability Company, whose business and mailing address is P.O. Box 874, Hilo, Hawaii 96721, as Assignee.

LEGAL REFERENCE:

Section 171-36(a)(5), Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waiakea, South Hilo, Hawaii, identified by Tax Map Key: 3<sup>rd</sup>/ 2-1-07:21, consisting of approximately 7,089 square feet, as shown on the attached map labeled Exhibit A.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CHARACTER OF USE:

Residential purposes.

TERM OF LEASE:

Original lease was for 21 years commencing on March 15, 1947 and expiring on March 14, 1968.

Extension of lease dated May 25, 1962 extended the term changing the expiration of lease to March 14, 2015. Last rental reopening for remaining lease period occurred on May 25, 2003.

ANNUAL RENTAL:

\$1,440.00.

CONSIDERATION:

\$ 75,000.00

RECOMMENDED PREMIUM:

Not applicable as the lease does not allow for a premium.

DCCA VERIFICATION:

ASSIGNEE:

Place of business registration confirmed:	YES <u>X</u>	NO <u>  </u>
Registered business name confirmed:	YES <u>X</u>	NO <u>  </u>
Good standing confirmed:	YES <u>X</u>	NO <u>  </u>

ASSIGNOR:

Not applicable for Assignor as individuals are not required to register with DCCA.

REMARKS:

General Lease No. S-3155 dated August 29, 1946 between the Territory of Hawaii, by its Commissioner of Public Lands, and William J. Bell. The original term of the lease was for 21 years at the rate of \$155.00 per year, payable by equal semi-annual payments in advance.

On March 13, 1948, William J. Bell assigned General Lease No. S-3155 to his son, Kenneth K. Bell.

Under Section 87 of Act 32, Session Laws of Hawaii, 1962, Mr. Bell being a victim of natural disaster, was granted an extension of lease to expire on March 14, 2015.

On February 14, 1969, Kenneth K. Bell assigned his lease to Kenneth K. Bell and Clara L. Bell.

Then, at its meeting of November 15, 1974 the Board of Land and Natural Resources under Agenda Item F-1 consented to the assignment of General Lease No. S-3155 from Kenneth K. Bell and Clara L. Bell to Edna M. Estes.

Again, at its meeting of September 14, 1979 the Board under Agenda Item F-1-a consented to the assignment of General Lease No. S-3155 from Edna M. Ziemann, whose husband is Rudolph Henry Ziemann, (formerly known as Edna M. Estes) to Kenneth Len Hughes and Alice Hanson Hughes.

At its meeting of January 9, 1987, under Agenda Item F-1-a, the Board consented to the assignment from Kenneth Len Hughes and Alice Hanson Hughes to Richard Alderson.

Still further, at its meeting of January 13, 1995, under Agenda Item F-1-d, the Board consented to the assignment from Richard Alderson to Jesse C. Wolf.

On April 18, 2007, Hawaii District Office received a Request for Consent to Assignment from Jesse C. Wolf to Pacific Island Investments LLC, as a result of a sale. First American Title Company, Inc. has supplied a title commitment report and informs us that no consent to mortgage is required as it is a cash sale.

Pacific Island Investments LLC has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

The Lessee is current with all the terms and conditions of the lease agreement. The last rental reopening occurred on May 25, 2003 and is effective until the expiration of the lease on March 14, 2015.

This lease was executed at a time when liability insurance coverage was not a requirement of State tenants. Therefore, Assignee shall provide liability insurance coverage naming the State of Hawaii as additional insured while the lease is in force.

RECOMMENDATION:

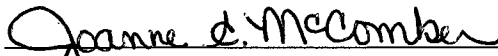
That the Board consent to the assignment of General Lease No. S-3155 from Jesse C. Wolf, as Assignor, to Pacific Island Investments LLC, as Assignee, subject to the following:

1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and

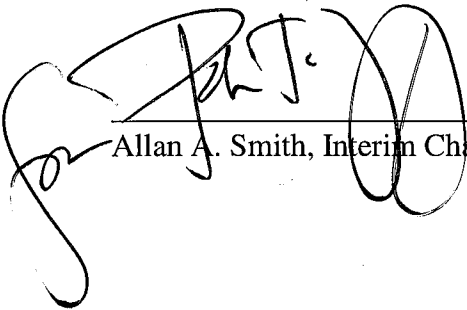
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3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
Joanne E. McComber  
Land Agent

APPROVED FOR SUBMITTAL:

  
Allan A. Smith, Interim Chairperson

